

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

Cr. No. 97-076-DRD  
[Related to: Civ. No. 05-1581-DRD  
& 05-1609-DRD]

v.

[18] MIGUEL A. VEGA-COSME,  
[19] MIGUEL VEGA-COLON.  
Defendants.

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RECEIVED & FILED  
2006 MAY -2 AM 7:56  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

MOTION TO ASCERTAIN STATUS OF  
DEFENDANTS'S MOTION TO RECONSIDER ORDER

TO THE HONORABLE COURT:

NOW COMES, the Defendants, Miguel A. Vega-Cosme, [father], and Miguel Vega-Colon, [son], pro-se, and hereby respectfully moves this Honorable Court to ascertain the status of their motion to reconsider this Court's Order of March 1, 2005. The grounds of this motion are:

1. On 2/14/2005, the defendants Vega-Cosme and Vega-Colon moved this Court for appointment of counsel to prepare and file a \$2255 petition in their behalf and for leave to proceed in forma pauperis. [Dock. #1596 and 1597].
2. On 2/28/2005, this Court granted leave to proceed in forma pauperis and; on 3/1/05 entered an Order that "the appointment of counsel is to be made by the Clerk of the Circuit Court of Appeals." [See copy attached hereto as Exh. "A"].

3. Because this Honorable Court does not have jurisdiction over the Clerk of the Circuit Court of Appeals, on 5/1/05, the Defendants moved this Court to reconsider its Order of March 1, 2005, [which stated that "the appointment of counsel is to be made by the Clerk of the Circuit Court of Appeals"], and to enter a New Order instructing that the appointment of counsel Shein be made by the Clerk of the district court of Puerto Rico.

4. In the Alternative, the Defendants requested that this Honorable Court appointed Ms. Rachel Brill, Esq., Ste. 1113, Mercantil Plaza Bldg., Ponce de Leon Avenue, Hato Rey, Puerto Rico, 00918.

5. Up to date, the Defendants have not heard anything from the Court about this matter.

6. Recently, this Honorable Court Granted co-defendant Cintron-Caraballo's request for appointment of counsel and ordered the district Clerk to randomly designate counsel for the petitioner from the roster of CJA Panel Attorneys. See: Cintron-Caraballo v. U.S., Civ. No. 05-2232-DRD(Cr. No. 97-076-20-DRD)(Civ. Dock. No. 2 and 5)(Feb. 6, 2006).

7. Because Ms. Brill is actually active in the roster of the Honorable Court's CJA Panel. The Defendants respectfully request that a final disposition be made of the motion for reconsideration now pending before this Court, and respectfully asks that a New Order be entered instructing the district Clerk to appoint Ms.Brill or to randomly designate counsel for the Defendants from the Roster of CJA Panel Attorneys.

In light of the foregoing, the Defendants would greatly appreciate any information or anything the Court can do to help speed-up the appointment of counsel.

Respectfully Submitted.

4/26/06

Dated:

Miguel A. Vega-Cosme

Miguel A. Vega-Cosme, pro-se  
Reg. No. 03648-069  
Federal Correctional Complex-USP  
P.O.Box 1033  
Coleman, FL 33521-1033

4/26/06

Dated:

Miguel A. Vega-Cosme  
For

Miguel Vega-Colon, pro-se\*  
Reg. No. 14687-069  
Federal Correctional Complex-LOW(B-3)  
P.O.Box 1031  
Coleman, FL 33521-1031

Assisted by M. Vega-Cosme

CERTIFICATE OF SERVICE

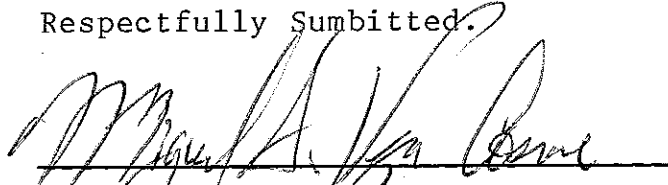
We hereby certify that a true and correct copy of this motion has been mailed to the following:

- a) U.S. Attorney's Office  
Torre Chardon, Ste. 1201  
350 Chardon Avenue  
San Juan, PR 00918
- b) Rachel Brill, Esq.  
Ste. 1113, Mercantil Plaza Bldg.  
Ponce de Leon Avenue  
Hato Rey, PR 00918
- c) Marcia G. Shein, Esq.  
2392 N. Decatur Rd.  
Decatur, GA 30033

Respectfully Sumbitted.

4/26/06

Dated:

  
Miguel A. Vega-Cosme, pro-se  
Reg. No. 03648-069  
Federal Correctional Complex-USP  
P.O.Box 1033  
Coleman, FL 33521-1033